

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0276/P2dn  
ARG:kjf:rs

January 24, 2011

ATTN: Bill Savage

Please review the attached draft carefully to ensure that it is consistent with your intent. In this draft, I have made only those changes requested by the drafting instructions, so I have not changed current law except as specifically requested to do so. Accordingly, this draft does not repeal s. 345.60 (4), but simply carves out a piece of that subsection and relocates it in created s. 343.31 (2t) (b). Please advise if you intended that, upon creation of s. 343.31 (2t) (b), s. 345.60 (4) be eliminated.

As discussed by e-mail, I am not sure how DOT will know when a conviction for violating s. 346.18 or a local ordinance in conformity with that provision results in the injury or death of a motorcycle operator or passenger, a bicycle operator or passenger, or a pedestrian. You may wish to consult with DOT on this issue if you have not done so already.

As requested, this draft refers to a bicycle passenger, although it is usually unlawful to carry a passenger on a bicycle. *See* s. 346.79 (2).

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

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